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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

DERRICK STEWART,  
*on behalf of himself, FLSA Collective Plaintiffs,  
and the Class,*

Plaintiffs,

v.

HUDSON HALL LLC  
d/b/a MERCADO LITTLE SPAIN,  
HUDSON HALL HOLDINGS LLC  
d/b/a MERCADO LITTLE SPAIN,  
THINK FOOD GROUP, LLC,  
and JOSÉ RAMON ANDRÉS PUERTA  
a/k/a JOSÉ ANDRÉS,

Defendants.

Case No. 1:20-cv-00885-PGG-SLC

Oral Argument Requested

**NOTICE OF MOTION**

**PLEASE TAKE NOTICE** that, upon the accompanying memorandum of law, Defendants Hudson Hall LLC, Hudson Hall Holdings LLC, Think Food Group LLC, and José Ramon Andrés Puerta a/k/a José Andrés (collectively, “Defendants”), by and through their undersigned counsel, will move this Court before the Honorable Paul G. Gardephe, on a date and time to be determined by the Court, for an order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure

dismissing Plaintiff's Amended Complaint in its entirety, with prejudice, as the Amended Complaint impermissibly employs group pleadings, or, in the alternative, for an order dismissing the Amended Complaint against Defendants Hudson Hall Holdings LLC, Think Food Group LLC, and José Andrés because Plaintiff fails to allege that they were Plaintiff's employers under the Fair Labor Standards Act ("FLSA") or the New York Labor Law. Defendants also seek an order granting Defendants costs, fees, and disbursements together with such other and further relief as the Court deems just, proper, and equitable.

**PLEASE TAKE FURTHER NOTICE** that, pursuant to the Court's Order, answering papers, if any, shall be served no later than June 12, 2020, and reply papers shall be served no later than June 19, 2020.

Dated: New York, New York  
May 29, 2020

Respectfully submitted,

FOX ROTHSCHILD LLP

By: /s/ Glenn S. Grindlinger

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